

REMARKS**OVERVIEW**

Claims 1-19 are pending in the application. Claims 15-19 are allowed. Claims 1-14 have been rejected.

Claims 1-7 are rejected under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Claim 1 is amended to include "first and second rows" of tines previously included in claim 3. Claim 1 is further amended by deleting reference to "pairs" or "sets" of tines. Thus, consistent terminology is used throughout claim 1. Since claim 1 now has proper antecedent basis for all claim elements, withdrawal of the § 112 rejection is requested.

Claims 2-7 depend from claim 1 and should be allowable as depending from an allowable base claim. Claim 7 has been amended to refer to "rows" of tines, rather than "pairs" of tines for proper antecedent support from claim 1.

Claims 8-14 have also been rejected under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Claim 8 has been amended so as to be directed simply to a dishwasher rack, rather than a combination of a rack and a plate. Also, "washing compartment" has been changed to "washing space" so as to avoid ambiguity with regard to the area above the rack in which the plate must fit. This change is supported in the specification at page 1, paragraph 2 (the first objective) and at page 4, last two lines-page 5, line 3. Claim 8 now overcomes the § 112 rejection so as to be in condition for allowance.

Claims 9-14 depend from claim 8 and should also be in condition for allowance.


Claim 15 has been amended to avoid ambiguity between the "washing compartment" and the "washing space" as discussed above for claim 8.

CONCLUSION

No fees or extensions of time are believed to be due in connection with this amendment; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account No. 26-0084.

Reconsideration and allowance is respectfully requested.

Respectfully submitted,


KIRK M. HARTUNG, Reg. No. 31,021
McKee, Voorhees & Sease, P.L.C.
801 Grand Avenue, Suite 3200
Des Moines, Iowa 50309-2721
Phone No: (515) 288-3667
Fax No: (515) 288-1338
CUSTOMER NO: 27139

Attorneys of Record

- bja -